Local Government Mandate Statement
Kentucky Legislative Research Commission
2025 Regular Session

Part I: Measure Information

Bill Request #:	11	**Bill #:**	HB 50
Document ID #:	1273	**Sponsor:**	Rep. Kim Banta
Bill Title:	AN ACT relating to sex offenders.		

Unit of Government: ☒ City ☒ County ☒ Urban-County ☒ Charter County ☒ Consolidated Local ☒ Unified Local

Office(s) Impacted: Law Enforcement, Jails

Requirement: ☒ Mandatory ☐ Optional

Effect on Powers & Duties: ☒ Modifies Existing ☐ Adds New ☐ Eliminates Existing

Other Fiscal Statement(s) that may exist: ☐ Actuarial Analysis ☒ Corrections Impact ☐ Health Benefit Mandate ☐ State Employee Health Plan

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

HB 50 increases the distance from 1,000 feet to 3,000 feet which sex offender registrants must reside away from a high school, middle school, elementary school, preschool, publicly owned or leased playground, or licensure day care facility. For people who became a registrant before the effective date of the Act, the 1,000 feet requirement still applies.

The estimated fiscal impact of HB 50 is expected to be minimal. The bill increases residency distance requirements for sex offender registrants, and may increase violations of KRS 17.545(1) as a result. Violation of KRS 17.545(1) is a Class A misdemeanor for the first offense and a Class D felony for subsequent offenses. The costs associated with local jail incarcerations for Class A misdemeanors and Class D felonies are described below.

A person convicted of a Class A misdemeanor may be incarcerated for up to twelve months. Misdemeanants are housed in one of Kentucky's 74 full-service jails or three Page 2 life safety jails. While the expense of housing inmates varies by jail, this

estimated impact will be based on an average cost to incarcerate of $47.43 per day. While most misdemeanor defendants are granted bail, those who do not will also cost local jails an average cost to incarcerate of $47.43 per day.

When a court denies bail to a Class D felony defendant, the local government is responsible for incarcerating the defendant until disposition of the case in one of Kentucky's 74 full-service jails or three life safety jails. While the expense of housing inmates varies by jail, each additional inmate increases facility costs by an average cost to incarcerate of $47.43, which includes the $35.34 per diem and medical expenses that the Department of Corrections pays jails to house felony offenders. Upon sentencing, a Class D felon is housed in one of Kentucky's full-service jails for the duration of his or her sentence. The Department of Corrections pays a jail $35.34 per day to house a Class D felon. The per diem may be less than, equal to, or greater than the actual housing cost.

Data Source(s): LRC staff; Department of Corrections

Preparer: TJ **Reviewer:** BW (MDA) **Date:** 1/8/25